

SENATE BILL 402

C5

(11r1986)

ENROLLED BILL

— Finance/Economic Matters —

Introduced by ~~Senator Glassman~~ Senators Glassman and Pugh

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Motor Carrier Companies – Local Public Transportation Systems –**
3 **Exemption from Motor Carrier Permit Requirement**

4 FOR the purpose of providing that a motor carrier permit is not required for a local
5 public transportation system established under a law enacted by the local
6 governing body of a county or municipal corporation; providing that a motor
7 carrier permit is not required for a motor vehicle used by a privately owned
8 transportation company exclusively to provide transportation system services
9 under a certain contract; requiring a certain privately owned transportation
10 company to obtain a motor carrier permit for certain motor vehicles under
11 certain circumstances; repealing certain exemptions for particular counties; and
12 generally relating to motor carriers and motor carrier permits.

13 BY repealing and reenacting, with amendments,
14 Article – Public Utilities

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Section 9–201 *and 9–207*
 2 Annotated Code of Maryland
 3 (2010 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article – Public Utilities**

7 9–201.

8 (a) Except as provided in subsection (b) of this section, a motor carrier permit
 9 is required for a passenger motor vehicle used in the transportation of persons for hire.

10 (b) A motor carrier permit is not required for:

11 (1) a motor vehicle used exclusively for the transportation of pupils to
 12 and from public or private schools;

13 (2) a motor vehicle operated for a period of not more than 3 months in
 14 any registration year in the transportation of persons employed at a cannery located in
 15 a county;

16 (3) taxicabs;

17 (4) public transportation for hire authorized to operate on the
 18 boardwalk in Ocean City;

19 (5) a vanpool operation as defined in § 11–175.1 of the Transportation
 20 Article;

21 [(6) the public transportation system for Washington County
 22 established under § 1–603 of the Code of Public Local Laws of Washington County,
 23 Article 22 of the Code of Public Local Laws of Maryland;

24 (7) the public transportation system for Allegany County established
 25 under § 23–24 of the Code of Public Local Laws of Allegany County, Article 1 of the
 26 Code of Public Local Laws of Maryland;

27 (8) the public transportation system for Frederick County established
 28 by the Board of County Commissioners for Frederick County;]

29 **(6) A LOCAL PUBLIC TRANSPORTATION SYSTEM ESTABLISHED**
 30 **UNDER A LAW ENACTED BY THE LOCAL GOVERNING BODY OF A COUNTY OR**
 31 **MUNICIPAL CORPORATION; ~~or~~**

1 **[(9)] (7) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A**
 2 **MOTOR VEHICLE USED BY A PRIVATELY OWNED TRANSPORTATION COMPANY**
 3 **EXCLUSIVELY TO PROVIDE TRANSPORTATION SYSTEM SERVICES UNDER A**
 4 **CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL**
 5 **CORPORATION OR WITH A UNIT OF STATE GOVERNMENT; OR**

6 **(8)** shuttle bus service operated by the University of Maryland,
 7 College Park for students enrolled at the University of Maryland, College Park and, in
 8 exchange for payment by the municipal corporation in which the University of
 9 Maryland, College Park is located, transportation service on the shuttle bus to
 10 residents of the municipal corporation.

11 **(C) A PRIVATELY OWNED TRANSPORTATION COMPANY THAT PROVIDES**
 12 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**
 13 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**
 14 **OF STATE GOVERNMENT SHALL OBTAIN A MOTOR CARRIER PERMIT FOR MOTOR**
 15 **VEHICLES THAT THE COMPANY DOES NOT USE EXCLUSIVELY TO PROVIDE**
 16 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**
 17 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**
 18 **OF STATE GOVERNMENT.**

19 ~~(D)~~ **(D)** The public duties of a common carrier may not be imposed on a
 20 person with respect to a vehicle for which a motor carrier permit is required under this
 21 section, if the vehicle is not actually engaged in public transportation.

22 9-207.

23 **(a) This section applies to a motor carrier providing transportation for hire by**
 24 **or through contract with a public authority, or a federal, State, district, or municipal**
 25 **transportation agency.**

26 **(b) A motor carrier subject to this section:**

27 **(1) is also subject to §§ 5-101 and 5-304 of this article; and**

28 **(2) EXCEPT AS PROVIDED IN § 9-201(B)(7) OF THIS SUBTITLE,**
 29 **shall obtain a motor carrier permit under § 9-201 of this subtitle.**

30 **(c) A motor carrier permit issued to a motor carrier subject to this section may**
 31 **be:**

32 **(1) subject to conditions under § 9-203 of this subtitle; and**

33 **(2) suspended, revoked, or subsequently denied under § 9-204 of this**
 34 **subtitle.**

1 *(d) Except as provided in this section, the provisions of this division do not*
2 *apply to a motor carrier subject to this section.*

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.